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west virginia department of environmental protection

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Environmental Enforcement  
131-A Peninsula Street, Wheeling, WV 26003  
Phone: (304) 238-1220 Fax: (304) 238-1006

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

August 26, 2013

Scott Ewusiak  
Ewusiak Aggregate Sales  
1900 Commercial Street  
Mingo Junction, OH 43938

**CERTIFIED RETURN RECEIPT REQUESTED**

**RE:** Hillside Property Solid Waste Management Unit Designation H-1

Dear Mr. Ewusiak:

During a recent Compliance Evaluation Inspection of the Mountain State Carbon facility located in Follansbee, WV; facility representatives informed inspectors with the West Virginia Department of Environmental Protection (WVDEP) of a recent sale of two parcels of what was previously RG Steel property.

Specifically, the two parcels in question are known as the (1) Hillside Property (383 acres) and the (2) South Property (79 acres). As you are aware, both parcels contain multiple historic disposal areas known as Solid Waste Management Units (SWMUs).

One particular SWMU (H-1) located on the Hillside Parcel contains two areas where previously disposed of coal tar residues seep out of the ground. These areas are commonly referred to as "Tar Wickings".

As Tar Wickings continue to seep to the surface they must be removed, properly containerized, properly managed, and disposed of in accordance with all applicable regulations. Tar Wickings have been managed by the previous responsible parties as an EPA Characteristic hazardous waste designation D018 (benzene) per 40 CFR Part 261.24 (Table 1).

Other contaminants of concern often associated with Tar Wickings are heavy metals, cyanides, pyridine, o-cresol, and m-cresol. Attachment A is a copy of a historic analysis of the Tar Wickings.

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By properly managing Tar Wickings (as they are generated), you would be subject to the West Virginia Hazardous Waste Management System (Title 33, Series 20) as well as the U.S. EPA Regulations (40 CFR Part 261 and Part 262) as a Generator of Hazardous Waste.

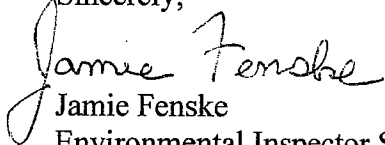
Attachment B is a WVDEP Checklist for Large Quantity Generators of hazardous waste. This Checklist should only be used as a guide regarding regulatory compliance. Additional environmental regulations could apply as well as U.S. DOT, OSHA, etc. regulations.

As a generator of hazardous waste there are specific training requirements, response plans, internal inspection requirements, record keeping requirements, etc. you are subject to. The areas in and around both Tar Wicking locations are required to be properly maintained and inspected (security fence, signage, vegetation, etc.).

Disturbance of other SWMUs associated with either the Hillside Property or the South Property is not recommended. Questions regarding these units should be directed to Estena McGee, U.S. EPA.

If you have any questions regarding regulatory requirements you are subject to, feel free to contact myself or Environmental Inspector Christina Radeski at (304) 238-1220. Thank you for your attention with this matter.

Sincerely,



Jamie Fenske  
Environmental Inspector Supervisor  
Environmental Enforcement – Hazardous Waste

Estena McGee, U.S. EPA  
Christina Radeski, Environmental Inspector  
File

## Attachment - A

**APPENDIX E-5**

**TAR WICKING MATERIAL ANALYSES**

# MICROSEEPS

Client: Wheeling Pgh Steel Corp  
P.O. Box 670  
Follansbee, WV 26037

Page 1 of 2  
Date: 04/13/98  
Report No: 24209  
Cocid No: 146148

Attention: Kevin Quattrochi

## ANALYTICAL REPORT

This report contains information for the following sample:

Microseeps Sample No	Client Sample ID	Client Group ID
18/0003	KMQ007	Tar Cleanup E Rt 2

Approved: Ruth W. C. 6h

# MICROSEEPS

g Pgh Steel Corp Date:04/13/98 Lab C-o-C No.:146148 Report No.:24209 Page 2 of 2

2938/0003 Samp.ID: KMQ007 Group ID: Tar Cleanup E Rt 2 Date Received: 04/01/98

Parameters-> Date Sampled:04/01/98 Time Sampled:11:00

Parameter	Result	Units
pH	1.1	S.U.
Ignitability	80.0	deg. F
Paint Filter Test	Pass	
In-house % Solids	75.1	%
Cyanide-Total	18.0	mg/kg
Sulfide - Reactive	< 10	mg/kg
Tot. Petro. Hydrocarbon	237	mg/kg
Aroclor 1016	< 997.7	ug/kg
Aroclor 1221	< 997.7	ug/kg
Aroclor 1232	< 997.7	ug/kg
Aroclor 1242	< 997.7	ug/kg
Aroclor 1248	< 997.7	ug/kg
Aroclor 1254	< 997.7	ug/kg
Aroclor 1260	< 997.7	ug/kg

# MICROSEEPS

nt: Wheeling Pgh Steel Corp  
P.O. Box 670  
Follansbee, WV 26037

Page 1 of 3  
Date: 04/13/98  
Report No: 24210  
Cocid No: 146149

ntion: Kevin Quattrochi

## ANALYTICAL REPORT

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oseeps le No	Client Sample ID	Client Group ID
/0004	KMQ007	Tar Cleanup E Rt 2

oved:

*Ruth Welsh*

# MICROSEEPS

eling Pgh Steel Corp Date:04/13/98 Lab C-o-C No.:146149 Report No.:24210 Page 2 of 3

p.#: 2938/0004 Samp.ID: KMQ007 Group ID: Tar Cleanup E Rt 2 Date Received: 04/01/98  
P Extraction

ld Parameters-> Date Sampled:04/01/98 Time Sampled:11:00

ments: Ortho and para-Cresol co-elute during analysis; the reported result for ortho-cresol reflects the total concentration for both isomers.

Parameter	Result	Units
Silver	< 0.020	mg/l
Arsenic	< 0.060	mg/l
Barium	0.0922	mg/l
Cadmium	0.0079	mg/l
Chromium	0.0486	mg/l
Mercury	< 0.0002	mg/l
Lead	0.3927	mg/l
Selenium	0.0934	mg/l
Benzene	230000	ug/l
Carbon Tetrachloride	< 50	ug/l
Chlorobenzene	< 50	ug/l
Chloroform	< 50	ug/l
1,2-Dichloroethane	< 50	ug/l
1,1-Dichloroethene	< 50	ug/l
Methyl Ethyl Ketone	< 100	ug/l
Tetrachloroethene	< 50	ug/l
Trichloroethene	< 50	ug/l
Vinyl Chloride	< 50	ug/l
o-Cresol	2778	ug/l
m-Cresol	667	ug/l
p-Cresol	< 11.1	ug/l
1,4-Dichlorobenzene	< 11.1	ug/l
2,4-Dinitrotoluene	< 11.1	ug/l
Hexachlorobenzene	< 11.1	ug/l
Hexachlorobutadiene	< 11.1	ug/l
Hexachloroethane	< 11.1	ug/l
Nitrobenzene	< 11.1	ug/l
Pentachlorophenol	< 22.2	ug/l
Pyridine	4222	ug/l
2,4,5-Trichlorophenol	< 11.1	ug/l

tinued on next page.....



# MICROSEEPS

1

g Pgh Steel Corp Date:04/13/98 Lab C-o-C No.:146149 Report No.:24210 Page 3 of 3

2938/0004 Samp.ID: KMQ007 Group ID: Tar Cleanup E Rt 2 Date Received: 04/01/98  
traction  
ed from previous page.

Parameter	Result	Units
2,4,6-Trichlorophenol	< 11.1	ug/l

6

APPENDIX F

## Attachment - B



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west virginia department of environmental protection

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Division of Water & Waste Management  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

**LARGE QUANTITY GENERATOR-COMPLIANCE EVALUATION INSPECTION**

The regulations for this inspection are the WV Hazardous Waste Management Act (22-18) & 40 CFR 260-265, 273 & 279.  
These regulations apply to facilities generating >1000 kg/month of Hazardous Waste (HW).

<b>COMPANY:</b> "Company"	<b>EPA ID#:</b> "EPA ID Number"
<b>MAILING ADDRESS:</b> "Facility Mailing Address"	<b>LOCATION:</b> "Facility Location"
<b>PHONE:</b> "Facility Phone #"	<b>COUNTY:</b> "County"
<b>COMPANY CONTACT:</b> "Company Contact"	<b>FACILITY DESCRIPTION:</b> "Facility Description"
<b>TITLE:</b> "Company Contact's Title"	
<b>ADV. OF AUTHORITY (Y/N):</b> "Adv. of Insp. Auth.? (Y or N)"	<b>VIOLATIONS (Y/N):</b> "Violations? (Y or N)"
<b>DATE INSPECTED:</b> "Date Inspected"	<b>ACTION TAKEN:</b> "Action Taken"
<b>TIME OF INSPECTION:</b> "Time Inspected"	<b>DATE PREPARED:</b> "Date Prepared"
<b>INSPECTOR(s):</b>	<b>PREPARED BY:</b>

<b>Hazardous Waste Codes:</b>	<b>Waste Description:</b>	<b>Disposal Company/Method:</b>
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**WASTE MINIMIZATION:**

**COMMENTS:**

Large Quantity Generator CEI Checklist		Yes	No	N/A
260.11	Has facility make a HW Determination for all waste streams?			
262.12	Has facility notified for all HW streams?			
262.10	Is facility treating, disposing, or storing HW > 90 days?			
262.20 (a)	Is UHW Manifest OMB control #2050-0039 on EPA form 8700-22 used?			
262.20 (a)	Are all manifests properly completed?			
262 Subpart C	Before offering HW for transport off-site, does generator.....			
262.30	Package in proper containers?			
262.31	Label with DOT sticker or placard?			
262.32	Mark with HW sticker or placard?			
262.33	Does generator offer initial transporter appropriate placards?			
262.34	<b>Accumulation Time:</b>	--	--	--
262.34 (a)	Is all HW within 90 days shipped off-site or placed in permitted or interim-status area on site?			
262.34 (a)(1)	All containers must be in compliance with requirements for Part 265 Subpart I below:	--	--	--
265.171	Are all containers in good condition?			
265.172	Are all containers compatible with the waste in them?			
265.173(a)	Are all containers closed except when adding or removing waste?			
265.173(b)	Are containers handled in such a way to ensure container will not rupture or leak?			
265.174	Are container areas inspected at least weekly?			
265.176	Are containers holding ignitable or reactive wastes located at least 50 ft. from facility property line?			
262.34 (a)(2)	Is accumulation start date clearly marked and visible on each container?			
262.34 (a)(3)	Is each on-site HW container & tank labeled "Hazardous Waste"?			
262.34 (a)(4)	Is aisle space sufficient (minimum 1 container width)?			
265 Subpart C	<b>Preparedness &amp; Prevention:</b>	--	--	--
265.31	Is facility maintained & operated to minimize risk of fire/explosion/release of HW?			
265.32	Has generator installed.....			
265.32(a)	Instructive communications or alarm system for facility personnel?			
265.32(b)	Device at generation points for summoning local emergency response Organization?			
265.32(c)	Fire control equipment & adequate suppression chemicals or water?			
265.33	Is emergency equipment tested & maintained as necessary to assure proper operation?			
265.34	Do all personnel involved in handling hazardous waste have immediate access to alarm or communication device either directly or through visual or voice contact with another employee?			
265.37	Has facility made arrangements with local emergency response agencies / hospitals / contractors?			
265 Subpart D	<b>Contingency Plan:</b>	--	--	--
265.52	Does the contingency plan contain.....	--	--	--
265.52(a)	Detailed emergency procedures facility personnel with implement in response to fire/explosion/release of HW?			
265.52(c)	Detailed description of arrangements with local emergency organizations?			
265.52(d)	Updated names, addresses & phone #'s of emergency coordinator(s) on 24-hr basis?			
265.52(e)	A listing of appropriate emergency equipment?			
265.52(f)	An evacuation plan including evacuation signals, primary & alternate routes?			
265.53	Has the plan or update been submitted to local emergency response organizations and does facility maintain a copy on-site?			
265.55 & 265.56	Are facility emergency coordinators familiar with their applicable responsibilities in the event of an emergency?			
265.56	Are the provisions of the plan carried out immediately whenever a fire/explosion/release of HW occurs?			
265.54	Is the plan reviewed & updated whenever regulations change, plan fails in an emergency, facility changes, list of emergency coordinators changes, or list of emergency equipment changes?			
265.16	<b>Training:</b>	--	--	--
265.16 (d)(1)	Are records of names & job titles maintained for personnel involved in HW Management?			
265.16 (d)(2)	Written position description for above personnel?			

Large Quantity Generator CEI Checklist		Yes	No	N/A
265.16 (d)(3)	Written description of training for above personnel?			
265.16 (a)(3)	Training must include (where applicable):	--	--	--
265.16 (a)(3)i	Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment?			
265.16 (a)(3)ii	Key parameters for automatic waste feed cut-off systems?			
265.16 (a)(3)iii	Location and use of communications or alarm systems?			
265.16 (a)(3)iv	Response to fires, explosions, spills and groundwater contamination incidents?			
265.16 (a)(3)v	Procedures prior to and during shutdown or operations?			
265.16 (c)	Have facility personnel completed an annual review of initial training?			
265.16 (d)(4)	Does facility maintain records documenting the required training been completed by above personnel?			
262.34 (c)	<b>Satellite Area Accumulation:</b>			
265 subpart I	Are all satellite containers closed, in good condition and compatible with contents?			
262.34 (c)(1)ii	Are all satellite containers marked with the words "Hazardous Waste" or other words identifying the contents?			
262.34 (c)(2)	For excess amounts of HW, is generator complying with 262.34 (a) within 3 days of start of excess accumulation?			
262.34 (c)(2)	For excess amounts of HW, is each container marked with date of start of excess accumulation and properly labeled?			
262 Subpart D	<b>Record Keeping &amp; Reporting:</b>	--	--	--
" "	Does generator maintain on site.....			
262.40 (a)	Copies of all signed manifests for a minimum of 3 years from date of initial transport?			
262.40 (b)	Copies of each annual or biennial report for a minimum of 3 years from report due date?			
262.40 (c)	Copies of all test results and waste determination for a minimum of 3 years from last date transported off-site?			
262.42	Does generator follow appropriate reporting procedures for manifest exceptions and discrepancies?			
273	Is facility in compliance with all applicable universal waste regulations?			
279	Is facility in compliance with all applicable used oil regulations?			

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